

REMARKS/ARGUMENTS

This Amendment is being filed concurrently with an RCE and in response to the Office Action dated October 7, 2003. Favorable reconsideration and allowance of this application are respectfully requested.

With respect to the objection to the specification, Applicant has amended the specification herein in order to capitalize the trademarks used therein. Thus, withdrawal of this objection is requested.

Claims 1, 6, 10-11, 15, and 19 have been rejected under 35 USC 103 as being unpatentable over Armstrong. Applicant has amended independent claims 1 and 19 herein in a manner that is believed to more clearly distinguish Armstrong and the remaining references of record, whether considered alone or in combination. Thus, reconsideration and withdrawal of the rejection are respectfully requested.

Claim 1 has been amended to clarify that the user input which defines the requested animated action is at least one control element on the game controller, and that the analog control element that provides the adrenaline value indicating a level of aggression for the animated action is different from the at least one control element that defines the requested animated action. In other words, the user manipulates the controller in a conventional manner in order to request a desired action by the character, but, at the same time, also manipulates a separate analog control element on the controller to indicate a level of aggression for the animated action. This particular combination of features is not taught or suggested by Armstrong. While Armstrong does teach an analog

BEST AVAILABLE COPY

control element for varying the intensity of an action, it does not teach or suggest the use of an analog control element as claimed in order to indicate a level of aggression that the character should make in connection with an action defined by other control elements on the controller. For at least this reason, Applicant respectfully submits that amended claim 1 herein is not rendered obvious by the references of record.

Independent Claim 10 has been amended in a manner that is similar to amended claim 1. Again, independent claim 10 requires that the action be defined by different control element(s) than the analog control element that provides the adrenaline value. Thus, Applicant believes that claim 10 is allowable over the prior art of record for substantially the same reasons as discussed above with respect to amended claim 1.

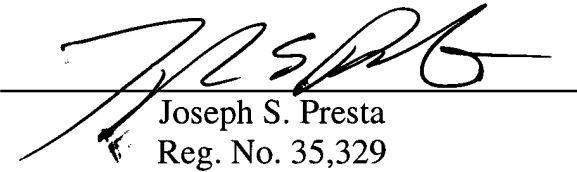
In view of the foregoing amendments and remarks, Applicant believes that all of the pending claims now clearly and patentably distinguish the prior art or record and are in condition for allowance. Thus, withdrawal of the rejections and passage of this case to issuance at an early date are earnestly solicited.

MAYER et al.
Appl. No. 09/960,702
March 8, 2004

Should the Examine have any questions regarding this case, or deem that any further issues need to be addressed prior to allowance, the Examiner is invited to call the undersigned attorney at the phone number below.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 
Joseph S. Presta
Reg. No. 35,329

JSP:mg
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100